

Date of Deposit: May 19, 2003

Attorney Docket No. 21402-124 (CURA-424)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gerlach et al.

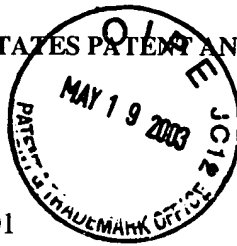
SERIAL NO.: 09/964,956

FILING DATE: September 26, 2001

FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

EXAMINER: James Martinell

ART UNIT: 1631



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR RESTRICTION

In response to the April 18, 2003, Restriction Requirement, applicants elect Group II Claims 5-14, 19-21, 39, 42, 46, and 47, drawn to nucleic acids, vectors, host cells, nucleic acid hybridization methods, pharmaceutical compositions, and kits, classified in class 536, subclass 23.5 and class 435, subclasses 320.1, 252.3, 325, and 6. Applicants also elect the nucleic acid sequence encoding amino acid sequence SEQ ID NO:25, without traverse.

This document should be timely filed if filed by May 19, 2003 (May 18, 2003 was a Sunday). The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.21402-124 (CURA-424).

Respectfully submitted,

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PRELIMINARY AMENDMENT

In response to the Restriction Requirement mailed April 18, 2003, Applicants submit a preliminary amendment so that the claims correspond with elected group II and elected species nucleic acid encoding the amino acid sequence of SEQ ID NO:25.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

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5/22/03